

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

MAY 26 2009

CLERK, U.S. DISTRICT COURT
By Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

VINCENTE DOMINIQUE CHAVEZ,

Petitioner,

v.

2:08-CV-0083

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On April 24, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas petition be dismissed as time barred. On May 5, 2009, petitioner filed objections to the Report and Recommendation. On May 21, 2009, respondent filed a response to petitioner's objections.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 26th day of May 2009.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE